

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. RPU-98-5
--	---------------------

ORDER DENYING PETITION TO INTERVENE

(Issued May 21, 1999)

On October 27, 1999, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) a proposed temporary and permanent increase in rates. On November 25, 1998, the Board docketed the case as Docket No. RPU-98-5 and set a procedural schedule. On March 22, 1999, MidAmerican, the Consumer Advocate Division of the Department of Justice, and the intervenors to the proceeding filed a unanimous proposed settlement agreement. The Board issued an order approving the settlement on April 23, 1999. Pursuant to the Board's order, MidAmerican filed compliance tariffs identified as TF-99-124 on April 27, 1999.

On May 12, 1999, Keith E. Meyer filed a request to intervene in Docket No. RPU-98-5. The Board must deny Mr. Meyer's request to intervene. IOWA ADMIN. CODE 199-7.2(8) states, except for good cause shown, a petition to intervene shall be filed on or before 20 days following the order setting a procedural schedule. The procedural schedule in Docket No. RPU-98-5 was set on November 25, 1998, and, therefore, Mr. Meyer's request was filed nearly six months after a procedural

PAGE 2

schedule was set. The Board's final decision to approve the settlement reached by the parties in Docket No. RPU-98-5 was issued on April 23, 1999.

Mr. Meyer also requested intervention in TF-99-124. Tariff filing TF-99-124 is the designation that was given to the compliance tariffs implementing the approved settlement in Docket No. RPU-98-5. These tariffs were filed by MidAmerican on April 27, 1999. All decisions regarding MidAmerican's rates were made in Docket No. RPU-98-5. The compliance tariffs are reviewed by the Board to determine whether they comply with the findings of the approved settlement agreement. No additional substantive decisions are made in this review. Therefore, TF-99-124 is not a proceeding in which intervention can be granted.

IT IS THEREFORE ORDERED:

The request to intervene filed by Keith E. Meyer on May 12, 1999, is denied.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

Dated at Des Moines, Iowa, this 21st day of May, 1999.